

Jo Hamilton, *Chair*  
Bo Riccobono, *First Vice Chair*  
Sheelah Feinberg, *Second Vice Chair*  
Bob Gormley, *District Manager*



Erin Roeder, *Treasurer*  
Susan Kent, *Secretary*  
Elaine Young, *Assistant Secretary*

## COMMUNITY BOARD No. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

[www.cb2manhattan.org](http://www.cb2manhattan.org)

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January 21, 2011

President Barack Obama  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

Hon. Congressman Jerrold Nadler  
201 Varick Street  
Suite 669  
New York, NY 10014

Dear President Obama and Congressman Nadler

At its Full Board meeting January 20, 2010, Community Board #2, Manhattan, adopted the following resolution:

### **Resolution on Protecting Foreign Born Spouses in Same-Sex Couples from Deportation**

**Whereas** United States Immigration Law does not allow foreign-born individuals to obtain permanent resident status based on marriage or long term partnership with a United States citizen of the same sex, even if they were lawfully married in a state that recognizes their marriage, and

**Whereas** the Federal Department of Homeland Security is currently actively seeking to deport foreign born, same-sex spouses of American citizens, even though they were legally married in a State that recognize same-sex marriage, and

**Whereas** Congress is considering a legislative remedy to same-sex bi-national couples in the **Uniting American Families Act**, which would remove the legal basis for deporting same-sex spouses of American citizens, and this consideration makes a very good case for using prosecutorial discretion to stop all such deportations until this law is passed and

**Whereas** the Department of Homeland Security has authority to not pursue deportation against certain individuals, per an August 20, 2010 memo issued by Assistant Secretary John Morton of Immigration and Customs Enforcement, encouraging officials to exercise prosecutorial discretion in certain cases and

**Whereas** immigration authorities have used prosecutorial discretion to discontinue deportation cases against other groups in the past, and

**Whereas** deportation of same-sex spouses forces American citizens to choose between their life partner and their country, forcing many to bring their skills and resources to another country, and

**Whereas** among developed countries, the United States is an outlier in its backwardness on gay and lesbian rights in that every Western European country except Italy has recognized same-sex marriage, domestic partnership, or civil unions as grounds for immigration sponsorship, as do many other nations including Canada, Australia, New Zealand, South Africa, Brazil, and Argentina. To our shame, the United States no longer is a world leader in the struggle for civil rights and equality for all, but has fallen behind even countries once reviled for their lack of civil rights, such as South Africa, and

**Whereas** the decision to forcibly separate a couple who have committed to stay together “until death do us part,” based solely on their sexual orientation is not only discriminatory, but extraordinarily cruel.

**Therefore Be It Resolved** that Community Board 2 Manhattan urges our elected officials in The U.S. Senate and the U.S. House of Representatives to join Congressman Nadler to reintroduce and pass the Uniting American Families Act, which would provide a mechanism under the Immigration and Nationality Act to allow United States citizens and legal permanent residents in binational same-sex relationships to sponsor their foreign-born partners for immigration to the United States in a manner consistent with the legal requirements and rights currently enjoyed by opposite-sex couples.

**And Therefore Be it Further Resolved** that Community Board 2 Manhattan calls upon President Obama to instruct the Department of Homeland Security to apply its power of prosecutorial discretion in order to discontinue its efforts to deport same-sex spouses of U.S. citizens and legal permanent residents, while Congress is considering the Uniting American Families Act.

Vote: Unanimous, with 38 Board members in favor.

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Jo Hamilton, Chair  
Community Board #2, Manhattan



Keen Berger, Chair  
Social Services & Education Committee  
Community Board #2, Manhattan

JH/gh

c: Hon. Thomas K. Duane, NY State Senator  
Hon. Daniel L. Squadron, NY State Senator  
Hon. Sheldon Silver, Assembly Speaker  
Hon. Deborah J. Glick, Assembly Member  
Hon. Scott M. Stringer, Man. Borough President  
Hon. Christine C. Quinn, Council Speaker  
Hon. Margaret Chin, Council Member  
Hon. Rosie Mendez, Council Member  
Sandy Myers, CB2 liaison, Man. Borough President's office  
Lolita Jackson, Manhattan Director, CAU

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January 21, 2011

Honorable Christine Quinn  
Speaker of the Council  
224 W. 30<sup>th</sup> Street, Suite 1206  
New York, New York 10001

Hon. Thomas Duane  
NYS Senator  
322 8<sup>th</sup> Avenue, Suite 1700  
New York, New York 10001

Honorable Deborah Glick  
NY State Assembly Member  
853 Broadway, Room 102  
New York, New York 10003

Hon. Margaret Chin, Council Member  
Chatham Green  
165 Park Row, suite #11  
New York, New York 10038

Katherine Eckstein  
Director of Public Policy  
Children's Aid Society's  
105 E. 22<sup>nd</sup> St., Suite 902  
New York, New York 10010

Dear Speaker Quinn, Senator Duane, Assembly Member Glick, Council Member Chin and Ms. Katherine Eckstein:

At its Full Board meeting January 20, 2011, Community Board #2, Manhattan, adopted the following resolution:

### **Resolution Regarding Children's Aid Society**

Whereas, the Children's Aid Society has been a much-loved educational resource for about 100,000 Greenwich Village families since it opened in our neighborhood in 1892, and

Whereas the current location on Sullivan Street (the Coltoff Center) had served our community for decades, currently with 1,500 children, aged birth to 17, including in the Early Childhood program (405 children, the largest nursery program in the downtown Manhattan) as well as in programs for children with special needs, the theater program, the camp, the after school program, sports, arts, and more, and

Whereas thousands of members of our community are devastated at the possible loss of these programs and more than 2,500 have signed a petition to this effect, many with heartrending comments attesting to their children's benefit from this institution, and

Whereas we need more educational programs for our booming population of children, as documented by several CB2 public hearings that reveal severe school overcrowding in Community Board Two, and

Whereas, we understand and appreciate the mission of Children's Aid to serve children in poverty, but

Whereas the decision to sell the Philip Coltoff Center and its Early Childhood Annex was done before parents and the community could express concerns and suggest alternatives, and

Whereas the Children's Aid Society assured the Community Board on January 18, 2010 that they have not yet secured a broker, or buyer, or written a contract for sale

**Therefore, be it resolved** that CB#2 strongly insists that the Children's Aid Society must include representatives of CB2 and the parent's group (SAVE – Save A Village Education) in any future decisions about the sale, and

**Be it further resolved** that CB#2 urges Children's Aid Society write a contract for sale that preserves all the current programs within the current facilities on Sullivan Street, through June, 2012; and

**Be it further resolved** that CB#2 requests Children's Aid Society develop and offer financial and career incentives to retain administration, teachers and staff of the Coltoff Center through at least June 2012 with specifics communicated to parents before they sign contracts with deposits on February 18, 2011.

**Be it further resolved** that CB#2 insists Children's Aid Society stay true to its core mission by finding a buyer who will continue all existing education and community-based programs at the current level or higher and

**And be it further resolved** that CB#2 requests the Board of Directors, all our local political and community leaders, and all members of Community Board Two will use their best efforts to ensure that the programs currently in place at the Center continue for current and future children of our community.

Vote: Unanimous, with 38 Board members in favor.

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Jo Hamilton, Chair  
Community Board #2, Manhattan



Keen Berger, Chair  
Social Services & Education Committee  
Community Board #2, Manhattan

JH/gh

c:

Hon. Daniel L. Squadron, NY State Senator  
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